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Express Mail No.: EL933683783US
Docket No. HYS-39

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Godbole, et al.
Serial No: 09/788,051
Filed: February 16, 2001
For: METHODS AND
MATERIALS RELATING TO
CADHERIN-LIKE
POLYPEPTIDES AND
POLYNUCLEOTIDES

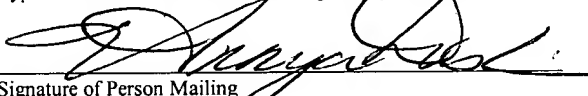
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Date of Deposit: April 5, 2002

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Type or Print Name of Person Mailing: Annya Dushine


Signature of Person Mailing

PETITION UNDER 37 C.F.R. §1.47(B)

BOX MISSING PARTS
Commissioner for Patents
Washington, DC 20231

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OFFICE OF PETITIONS

Sir:

This petition under 37 C.F.R. §1.47(b) is submitted along with a five-month extension of time in response to the Notice to File Missing Parts mailed on September 5, 2001, which provided a two-month deadline to November 5, 2001 for a response. This response is timely filed as a five-month extension of time to April 5, 2002 is submitted herewith.

It is requested that Luisa Bigornia be allowed to act as applicant for the above-identified application on behalf of and as agent of the inventor, Shubhada Godbole, who refuses to sign. The following facts and attached documents support the grant of this petition and show that Hyseq, Inc. has sufficient proprietary interest to execute the declaration.

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Docket No: HYS-39

Accompanying this petition are:

- (a) Copy of an executed Declaration for Patent Application and Power of Attorney by Chiaoyun Kuo, Matthew C. Arterburn, George Yeung, Servando Palencia, Y. Tom Tang, Chenghua Liu, Radoje T. Drmanac, and
- (b) Statement of Facts to Support the Filing on Behalf of the Nonsigning Inventors with Exhibits 1, 2 and 3,

1. The above-identified U.S. Patent Application, Serial No. 09/788,051, ("051 Application") lists Shubhada Godbole, Chiaoyun Kuo, Matthew C. Arterburn, George Yeung, Servando Palencia, Y. Tom Tang, Chenghua Liu, Radoje T. Drmanac as the inventors (hereafter the "Inventors").

2. Despite diligent efforts made by Annya Dushine, through the undersigned attorney, it is concluded that the Inventor refuses to execute the inventor's declaration in addition to other documents necessary towards patent issuance.

3. The Inventor's last known address is as follows:

1013 Wood Duck Avenue, Santa Clara, CA 95051

4. As shown by the accompanying Statement of Facts to Support the Filing on Behalf of the Nonsigning Inventors and Exhibits 1, 2 and 3, Hyseq, Inc. is the sole owner of all right, title and interest in the above-identified application. Exhibit 1 is a redacted agreement in which the Inventor executed an obligation to assign ownership in rights to her invention to Hyseq, Inc. Exhibit 2 shows the documents sent to the Inventor, by the undersigned attorney, requesting execution of the inventor's declaration. Exhibit 3 shows the detailed results of the Track Shipments provided by Federal Express.

5. The accompanying Statement of Facts to Support the Filing on Behalf of the Nonsigning Inventors along with Exhibits 1, 2 and 3, establish facts that support the request that Luisa Bigornia be allowed to make application, which is necessary to prevent irreparable damage.

On the basis of these facts and for the foregoing reasons it is solicited that the Commissioner allow Luisa Bigornia to make application on behalf of and as agent of the Inventor who refuses to sign.

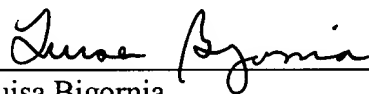
The Commissioner is hereby authorized to charge payment of the petition fee of \$130.00, and any other fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 501169. A duplicate copy of this sheet is enclosed.

Please refund any overpayment to Hyseq, Inc. at the address below.

Respectfully submitted,

Dated: April 05, 2002

By:


Luisa Bigornia
Attorney for Applicants
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